

Exhibit No. 11Date 3-18-09To honorable members of the Montana Senate Finance and Claims Committee: SB 505

The Montana State Courts recently declared that groundwater produced as a by-product of Coal Bed Methane production, belongs to the senior water rights holder ie: the landowner.

SB 505 is **seeks to overturn this decision** by the Montana State courts by re-labeling it as SURFACE WATER. A look at water classification helps to show that there are different types of water:

- * **Meteoric water** - is water in circulation
- * **Connate water** - "fossil" water, often saline.
- * **Juvenile water** - water that comes from the interior of the earth.
- * **Surface water** - water in rivers, lakes, oceans and so on.
- * **Subsurface water** - Groundwater, connate water, soil, capillary water
- * **Groundwater** - exists in the zone of saturation, and may be fresh or saline.

It then becomes perfectly obvious that surface water is not ground water and CANNOT be labeled as such.

Obviously this bill is designed to **circumvent the Montana Court System** and place water belonging to landowners back into the hands of industry.

As a landowner I am asking you to respect my rights, to respect the decision of our state courts, and to not be manipulated by an industry that seeks to waste millions of gallons of our precious water in this state.

Respectfully submitted:

Christine Valentine
Landowner
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